

**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

ROBIN M. LEE,  
 Plaintiff,

v.

HENDERSON DETENTION CENTER et al.,  
 Defendants.

2:13-cv-1850-JCM-CWH

**ORDER**

**I. DISCUSSION**

On February 18, 2014, this Court issued an order denying Plaintiff's application to proceed *in forma pauperis* without prejudice because Plaintiff's application was incomplete. (ECF No. 6 at 1-2). The Court granted Plaintiff thirty days from the date of that order to file a fully complete application to proceed *in forma pauperis* or to pay the full filing fee of \$350. (*Id.*).

On March 3, 2014, Plaintiff filed a motion for an extension of time to comply with this Court's February 18th order. (ECF No. 7 at 1). Plaintiff, who is now incarcerated at the Honolulu Federal Detention Center, sought an extension of time to contact the Clark County Detention Center in order to acquire proof of his inmate account statement from the period of August 1, 2013 through November 7, 2013. (*Id.*). The Court granted Plaintiff's motion and gave Plaintiff until Friday, April 18, 2014 to comply with this Court's February 18th order. (ECF No. 8 at 1).

On March 10, 2014, Plaintiff filed his new application for *in forma pauperis*, an amended complaint, and a motion to comply with screening order. (ECF No. 9, 9-1, 11). Plaintiff's new application for *in forma pauperis* is also incomplete. (ECF No. 9). Pursuant to 28 U.S.C.

§ 1915(a)(2) and Local Rule LSR 1-2, Plaintiff must complete an application to proceed *in forma pauperis* and attach both an inmate account statement for the past six months and a properly executed financial certificate. Plaintiff has not submitted a complete financial certificate or a complete inmate account statement. (See ECF No. 9 at 4-6). Plaintiff must have an authorized officer complete the financial certificate. (*Id.* at 4). As such, the *in forma pauperis* application is denied without prejudice. The Court will retain Plaintiff's amended civil rights complaint (ECF No. 9-1), but will not file it until the matter of the payment of the filing fee is resolved. Plaintiff will be granted an opportunity to cure the deficiencies of his application to proceed *in forma pauperis*, or in the alternative, pay the full filing fee for this action. If Plaintiff chooses to file a new application to proceed *in forma pauperis* he must file a fully complete application to proceed *in forma pauperis*.

The Court further denies Plaintiff's motion to comply with screening order (ECF No. 11) as moot because the motion simply informs the Court of Plaintiff's previous filing.

## II. CONCLUSION

For the foregoing reasons, IT IS ORDERED that Plaintiff's application to proceed *in forma pauperis* (ECF No. 9) is DENIED without prejudice to file a new application.

IT IS FURTHER ORDERED that the Clerk of the Court SHALL SEND Plaintiff the approved form application to proceed *in forma pauperis* by a prisoner, as well as the document entitled information and instructions for filing an *in forma pauperis* application.

IT IS FURTHER ORDERED that within **thirty (30) days** from the date of this order, Plaintiff shall either: (1) file a **fully complete** application to proceed *in forma pauperis*, on the correct form with complete financial attachments in compliance with 28 U.S.C. § 1915(a); or (2) pay the full filing fee of \$350.


IT IS FURTHER ORDERED that if Plaintiff does not timely comply with this order, dismissal of this action may result.

IT IS FURTHER ORDERED that the Clerk of the Court shall retain the amended complaint (ECF No. 9-1), but shall not file it at this time.

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1 IT IS FURTHER ORDERED that the motion to comply with screening order (ECF No.  
2 11) is DENIED as moot.

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4 DATED: This 14th day of March, 2014.

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7 C.W. Hoffman, Jr.  
United States Magistrate Judge  
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